IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 15TH NOVEMBER 2007 / 24TH KARTHIKA 1929

WP(C).No. 24456 of 2004(J)

PETITIONER:

T.GEORGE, EX-HAVILDAR NO. 1296098,
T.C. 6/2133, NALLOORKONAM, VALIYAVILA,
VATIYOORKAVU P.O. THIRUVANANTHAPURAM.

BY ADV. SRI.GOPAKUMAR R.THALIYAL

RESPONDENTS:
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1. THE UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF DEFENCE, NEW DELHI.

2. OFFICER IN CHARGE, ARMY GROUP INSURANCE FUND, AGI BHAWAN, RAO TULA RAM MARGH, POST BAG NO. 14, P.O.VASANT VIHAR, NEW DELHI 110 057.

3. OFFICE IN CHARGE, ARTILLERY RECORDS, NASIK ROAD CAMP, 422 102, MAHARASHTRA.

4. THE MANAGER, STATE BANK OF INDIA, STATUE, THIRUVANANTHAPURAM.

Addl..R5. THE SYNDICATE BANK,
R.K.PURAM, NEW DELHI
(Impleaded as additional respondent no.5 as per order dated 9-8-07)

BY SRI.R.S.KALKURA, SC for SBI
SRI.THOMAS MATHEW NELLIMOOTTIL,SR.P.ARM
SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR GENERAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the communication received by the petitioner from the office of the 2nd respondent.

Ext.P2: True copy of the representation sent by the petitioner to the 3rd respondent dated 11.1.2004.

Ext.P3: True copy of the letter issued by the Branch Manager, State Bank of Travancore, Thirumala Branch dated 16.1.2004.

Ext.P4: True copy of the communication received by the petitioner from the 2nd respondent dated 7.5.2004.

Ext.P5: True copy of representation submitted by the petitioner to the 2nd respondent dated 27.5.2004.

Ext.P6: True copy of the pass book of the petitioner.

Ext.P7: True copy of the communication issued by the 2nd respondent dated 27.6.2004.

RESPONDENT'S EXHIBITS:

Ext.R1(a): True copy of the Statement of Syndicate Bank, dated 22.2.1993.

Ext.R1(b): True copy of the Receipt issued by the petitioner dated nil.

// True copy //

P.A. to Judge

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THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.24456 OF 2004

Dated this the 9th day of August, 2007

O R D E R

The first respondent will serve a copy of the counter affidavit, including the exhibits thereof, on the counsel appearing for the 4th respondent, who will, in turn, obtain appropriate instructions as to the availability of a branch of State Bank of India, as Trivandrum Branch and ascertain the views of the SBI regarding the transaction reflected at voucher No.759340 in Ext.R1(a) ledger extract of Syndicate Bank for the month of February, 1993. Necessary additional affidavit shall be placed on record by the 4th respondent before the next date of hearing.

2. The Syndicate Bank, R.K.Puram, New Delhi is impleaded as an additional respondent in this case. Adv.Sri.R.S.Kalkura takes notice for the Syndicate Bank. Learned counsel will obtain the view of that Branch also, if necessary, with reference to the

vouchers pertaining to the transaction from the records of the Bank.

3. The petitioner will serve a copy of the writ petition to the counsel for the impleaded additional respondent.

Post on 11.9.2007.

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.